

ROBERT MILNOR.

[To accompany bill H. R. No. 58.]

MARCH 3, 1840.

Mr. TOLAND, from the Committee on Commerce, made the following

REPORT:

The Committee on Commerce, to whom was referred the petition of Robert Milnor, report:

That the committee have examined this case, and concur in the report of the committee made thereon at the 2d session of the 25th Congress, to which they refer the House. They report a bill for the relief of the petitioner.

APRIL 6, 1838.

The Committee on Commerce, to whom was referred the petition of Robert Milnor, report:

The petitioner was appointed a gauger at Philadelphia in the year 1821, and continued in the office until 1837. It appears that the gauging instruments which he has used have been purchased and kept in repair at his own expense, and that no charge was made for the same in the adjustment of his accounts, until 1833, since which period he has charged and been allowed the amount of such expense. He now claims a similar allowance for his previous expenses of this description; and the claim is submitted to Congress, in consequence of its disallowance by the Secretary of the Treasury.

There is no express authority in the revenue laws for the allowance of such a claim, and it appears that for several years previously to 1800 it was not authorized by the instructions of the Comptroller of the Treasury; but afterwards, and uniformly, at least, since August 25, 1823, (the date of the instructions of Mr. Comptroller Anderson, which directed "the expense of gauging instruments and mending the same" to be included under the head of "disbursements on account of contingent expenses,") said claims appear to have been allowed; and, according to the established usage in other similar cases, the petitioner might have obtained an allowance for his annual expenses, had he regularly and seasonably presented his claim. His failure to do so appears to be solely attributable to his ignorance of the usage; and as he has shown, to the satisfaction of the committee, that from January 17, 1821, to August 4, 1833, he actually expended the sum of \$443 17 for the purchase and repairs of gauging instruments, they consider that he has a just claim against the Government for that amount, and report a bill for his relief accordingly.

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side that he had a just claim against the Government for that amount, and \$443 17 for the purchase and repairs of gauging instruments, they consider that he has a just claim against the Government for that amount, and failure to do so appears to be solely attributable to his ignorance of the annual expenses had he regularly and seasonably presented his claim. His other similar cases, the petitioner might have obtained an allowance for his appear to have been allowed; and, according to the established usage in head of "disbursements on account of contingent expenses," said claims of gauging instruments and mending the same" to be included under the instructions of Mr. Comptroller Anderson, which directed "the expense but afterwards and uniformly at least since August 22, 1893 (the date of was not authorized by the instructions of the Comptroller of the Treasury; such a claim, and it appears that for several years previously to 1890 is There is no express authority in the revenue laws for the allowance of the Treasury.

milled to Congress, in consequence of its disallowance by the Secretary of lowance for his previous expenses of this description; and the claim is still been allowed the amount of such expense. He now claims a similar al- ment of his accounts until 1893, since which period he has charged and his own expense, and that no charge was made for the same in the adjust- struments which he has used have been purchased and kept in repair at and continued in the office until 1897. It appears that the gauging in- The petitioner was appointed a gauger at Philadelphia in the year 1837; Minor, report.

The Committee on Commerce, to whom was referred the petition of Robert April 6, 1838.

tioner. which they refer the House. They report a bill for the relief of the peti- The committee made therein at the 24 session of the 25th Congress, to T that the committee have examined this case, and concur in the report of Minor, report.

REPORT: The Committee on Commerce, to whom was referred the petition of Robert

MARCH 3, 1840.

It's accompanying bill H. R. No. 281